

The Honorable James L. Robart

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
  
Plaintiff,

v.

ROY NAUGHTON,  
COLTER O'DELL, and  
GLEN BALDWIN,  
  
Defendants.

NO. CR21-150-JLR  
  
ORDER CONTINUING  
TRIAL DATE

THIS matter comes before the Court on a joint motion to continue the trial and pretrial motions deadlines. Having thoroughly considered the parties joint motion and the relevant records, the Court Grants the motion for the reasons explained below.

Trial in this matter is currently set for November 29, 2021; pretrial motions were due October 21, 2021 (Dkts. 37-39). The parties seek a continuance of the trial date to June 27, 2022, citing counsel's need to review and investigate discovery and discuss factual and legal issues of this case with the Defendants. Dkt. 43. Based on the forgoing, the Court FINDS as follows:

1           1.       The ends of justice served by granting the requested continuance outweigh the  
2 best interests of the Defendants and the public to a speedy trial. *See* 18 U.S.C. §  
3 3161(h)(7)(A).

4           2.       Taking into account the exercise of due diligence, the failure to grant the  
5 continuance would deny counsel the reasonable time necessary for effective preparation, *see*  
6 18 U.S.C. § 3161(h)(7)(B)(iv), and would therefore result in a miscarriage of justice, *see* 18  
7 U.S.C. § 3161(h)(7)(B)(i).

8           3.       The ends of justice will be served by ordering a continuance in this case, as a  
9 continuance is necessary to ensure adequate time for the defense to review discovery and  
10 prepare for trial.

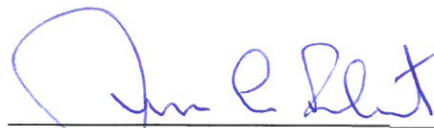
11           Additionally, the Court holds that the duration of this continuance is excluded from  
12 the Defendants' speedy trial calculation because it is "a reasonable period of delay" within  
13 the meaning of 18 U.S.C. § 3161(h)(6). *See United States v. Messer*, 197 F.3d 330, 337 (9th  
14 Cir. 1999).

15           IT IS THEREFORE ORDERED that the trial dates shall be continued to  
16 July 12, 2022, and that the pretrial motions deadline is reset to May 23, 2022.

17           IT IS FURTHER ORDERED that the resulting period of delay from the filing of the  
18 motion to continue to the new trial dates is hereby excluded for speedy trial purposes under  
19 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(i)(iv).

20           Dated this 10<sup>th</sup> day of November, 2021.

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JAMES L. ROBART  
United States District Judge